

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

10x GENOMICS, INC.,

Plaintiff,

v.

CELSEE, INC.,

Defendant.

C.A. No. 19-00862-CFC-SRF

PUBLIC REDACTED VERSION

**PLAINTIFF 10X GENOMICS, INC.’S MOTION TO EXCLUDE
EXPERT TESTIMONY OF LITA L. NELSEN**

Pursuant to Federal Rule of Evidence 702 and 703, Federal Rule of Civil Procedure 26, and other governing law including *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993), Plaintiff 10x Genomics, Inc.’s (“10x”) respectfully moves the Court for an order excluding the entirety of the opinions and testimony of Celsee’s damages expert Lita L. Nelsen as unreliable and contrary to law. The grounds for this motion are further set forth in 10x’s contemporaneously-filed Opening Brief in Support of its Motion to Exclude Certain Expert Testimony of Lita L. Nelsen and James R. Kearn and supporting papers.

Dated: February 5, 2021

By: */s/Frederick L. Cottrell, III*

OF COUNSEL:

Daralyn J. Durie
Eugene Novikov
Andrew L. Perito
Eneda Hoxha
Annie A. Lee
Ramsey W. Fisher
DURIE TANGRI LLP
217 Leidesdorff Street
San Francisco, CA 94111
Telephone: 415-362-6666
Facsimile: 415-236-6300
ddurie@durietangri.com
enovikov@durietangri.com
aperito@durietangri.com
ehoxha@durietangri.com
alee@durietangri.com
rfisher@durietangri.com

Frederick L. Cottrell, III (#2555)
Jason J. Rawnsley (#5379)
Alexandra M. Ewing (#6407)
RICHARDS, LAYTON & FINGER, P.A.
One Rodney Square
920 North King Street
Wilmington, DE 19801
(302) 651-7700
cottrell@rlf.com
rawnsley@rlf.com
ewing@rlf.com

Attorneys for Plaintiff 10x Genomics, Inc.

Kira A. Davis
DURIE TANGRI LLP
953 East 3rd Street
Los Angeles, CA 90013
Telephone: 213-992-4499
Facsimile: 415-236-6300
kdavis@durietangri.com

Dated: February 5, 2021

CERTIFICATE OF SERVICE

I hereby certify that on February 5, 2021, I caused true and correct copies of the foregoing document to be served on the following counsel in the manner indicated:

VIA EMAIL

Brian E. Farnan
Michael Farnan
FARNAN LLP
919 N. Market St., 12th Floor
Wilmington, DE 19801
(302) 777-0300
bfarnan@farnanlaw.com
mfarnan@farnanlaw.com

VIA EMAIL

Barbara A. Fiacco
Jeremy A. Younkin
Brendan Jones
Emma S. Winer
Urszula Nowak
Michael Monti
Jeffrey I.D. Lewis
FOLEY HOAG LLP
Seaport West
155 Seaport Boulevard
Boston, MA 02210
(617) 832-1000
FoleyHoag-
CelseeTeam@foleyhoag.com

/s/ Frederick L. Cottrell, III

Frederick L. Cottrell, III (#2555)
cottrell@rlf.com